

DOC ADVISORY COUNCIL

Friday, Sept. 8, 2006

Boulder, Montana

Lt. Governor Bolinger, Council members, my name is Dennis McCave; I am a Captain for the Yellowstone County Sheriff's Office, presently assigned as the Commander of the Detention Facility.

I am addressing you here today on the subject of the Local Intensive Supervision Parole/Probation (ISP) Screening Committees or I might say, the virtual elimination of such committees. I have been involved with the ISP Screening Committees for over 20 years. It is my recollection that when the ISP program was started, Local Screening Committees were established to include, involve and inform local law enforcement and citizens in the process of placing "high risk" offenders in our communities and neighborhoods. The importance to communities of the ISP Screening committees is reflected in a 1995 newspaper article regarding the starting of the ISP program in Bozeman.

(Relevant article comments)

For the most part, the system seemed to work well over the years. Recently, we had seen an increase of not only the number of persons to screen for the ISP program, but also a growing number of those who should be considered violent or "high risk" individuals to the public safety of our communities and neighborhoods. As far as the Yellowstone County screening committee, I have seen it evolve into an intelligent, logical processing group that would weigh the risks and benefits for both the individual and the community. In recent years we have screened individuals who would not have been submitted to the committee in earlier years because of their history of violence or

negative record; yet, understanding the population issues facing the Department, we often would accept persons to the ISP program that we were not really comfortable with, but would take them with tightened restrictions and programming. Honestly, there were only a “hand-full” of ISP candidates that we would “reject” during the course of a year, as they were seen as a “clear and present danger” to the community or so obviously destined to fail that we felt they would either need to complete some sort of “in-patient” program or progress through a “pre-release” center to assure community safety and successful results. I know these “denials”, had been an “issue” in the past that was discussed at the April and October 2004 Advisory meetings.

(Reference April & Oct. '04 material)

At the April meeting I pointed out that “ALL” prerelease centers in the State of Montana were private. An example was given of an offender who was denied acceptance to the prerelease centers as committing “too violent of a crime” but was being screened for ISP. The question was raised as to why the State couldn’t establish a prerelease center and the response from Joe Williams was that it could but it would cost money. At the October meeting a document was submitted saying that the protocol for ISP screening needs to be revised.

After the '04 discussions the ISP process continued on as it had been in Yellowstone County until around June of this year. During the first part of June I asked a Parole Officer who was passing through our Booking Area what was going on with the ISP Screenings as I had not been notified for several weeks about any scheduled meetings. The PO had a puzzled look on their face and stated that they didn’t think they were doing screenings any more. At the MSPOA Board meeting the middle of June I asked then Director Slaughter why the ISP Screening Committees had been eliminated? Director Slaughter’s initial response to me was, didn’t

I get the letter? I advised him I did not get any letter and he mentioned that he would get me a copy. Apparently, he had forgotten prior to his departure to send me a copy of "the letter". He went on to say that "they", whoever "they" might be, were having issues with the Screening Committees and that the DOC Legal Department had reviewed the statutes and since there was no statutory authority of the Screening Committees, the DOC had decided that they would no longer use screening committees. Director Slaughter mentioned that he was opposed to the idea, but "they" chose to discontinue Screening Committees.

Interestingly, the following week I received a call that there was to be a Screening Committee meeting. At that meeting we were advised that we would only be screening "Pre-sentence" request for ISP, that the DOC was not going to have us screen persons being paroled or DOC commitments. As it turned out, I believe we "screened" 2 persons who were asking to be screened prior to their sentencing. Through out the rest of this summer I believed I was contacted twice, by phone, and asked to "screen" over the phone, one on one with the Parole Officer, a single person, for sentencing.

The elimination of Local ISP Screening committees for DOC individuals is concerning to me. I reviewed the past years Council minutes and found a couple of interesting reports. The first was from the Advisory Councils meeting of November 16, 2005, under "Project Updates – Prerelease Centers" it states, *"Mr. Ferriter reiterated the importance of the screening committees, which gives the communities a say on who is accepted into their communities."* With prerelease centers being a more restrictive environment for offenders to be supervised in, it seems "perceptive" of Mr. Ferriter to recognize the "importance" of screening committees to "communities" when accepting offenders into their "communities".....at prerelease centers. Yet at the Advisory meeting of January 31, 2006, the minutes reflect that Mr. Thomas, in giving an "overview" of some of the "issues" they were facing, one of those "issues" is stated as,roadblocks they

were facing with ISP screening committees.” It seems “contradictory” to me that on one hand, the Department Of Corrections feels that “prerelease” center screening committees are important and on the other hand, when it comes to ISP screening committees, when placing offenders in less restrictive settings, they are perceived as “roadblocks”.

I would ask the Advisory Council, to address this “inconsistency” and allow ISP Screening Committees to again be included in the process of placing DOC, high-risk offenders in our communities. Eliminating Law enforcement and community members from this process, I think, will only limit or constrict community trust and support for the Department of Corrections. I fully appreciate the many challenges the Department is facing and will face in the future; I would suggest that community confidence and trust will be important in facing those challenges.

I appreciate your time and consideration.